

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

MEDFORD DIVISION

LOUIS LILLIS and SHIRLEY LILLIS,

No. 1:14-cv-867-CL

Plaintiffs,

v.

NATIONAL CREDIT UNION
ADMINISTRATION BOARD,

ORDER

Defendant.

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). When either party objects to any portion of a Magistrate Judge's Report and Recommendation, the district court makes a de novo determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F. 2d 1309, 1313 (9th Cir. 1981).

Here, the parties object to the Report and Recommendation, so I have reviewed this matter de novo. I agree with Magistrate Judge Clarke that Defendant's motion to dismiss for lack of subject matter jurisdiction should be granted, and that Plaintiffs are not entitled to a stay pending exhaustion of administrative remedies.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#26) is adopted. Defendant's motion to dismiss (#13) is granted and Plaintiffs' request for a stay (#14) is denied. Plaintiffs' motion to settle the record (#30) is granted.

IT IS SO ORDERED.

DATED this 9 day of January, 2015.

A handwritten signature in black ink, reading "Owen M. Panner", followed by a horizontal line.

OWEN M. PANNER
U.S. DISTRICT JUDGE